

**TOWN COUNCIL
REGULAR MEETING
JANUARY 2, 2002**

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:02 p.m. by Mayor Venis and was followed by the Pledge of Allegiance.

2. ROLL CALL

Present were Mayor Venis, Vice-Mayor Paul, and Councilmembers Clark, Starkey and Truex. Also present were Town Administrator Tom Willi, Town Counsel Tom Connick and Town Clerk Russell Muniz recording the meeting.

3. OPEN PUBLIC MEETING (7:03 p.m. - 7:22 p.m.)

Mayor Venis advised the speakers of the Open Public Meeting procedures.

Leann Sullivan, 13851 SW 26 Street, introduced Stephanie Sullivan and Jordan Arizzi who were members of the Florida Junior Rodeo Association. Ms. Sullivan presented Council with a plaque for the rodeo that was held last year and indicated their appreciation for the Town's support of the children's rodeo.

Joyce Stewart, 10850 SW 25 Street, asked that Council remove SW 126th Street off the trafficways so that it never became a through street. Vice-Mayor Paul questioned if the list of roads she provided had been given to staff to research. Mr. Willi advised that this issue would be coming before Council as a discussion item.

Robert Beche, 5750 SW 56 Street, discussed the amount of traffic and speeding on SW 58 Avenue. He asked if a traffic study could be done for the east side of Town and to try to funnel some of the traffic to right turns only.

Councilmember Clark indicated that she had requested that SW 58 Avenue be added to the traffic study and suggestions for calming devices. She asked for a status. Mr. Willi indicated that this area had not yet been added to the traffic study and advised that staff had made suggestions on how to slow the traffic. He added that staff was not recommending speed humps. Councilmember Truex asked that there be some traffic enforcement in this area.

Moose Wetzel, 8450 SW 28 Street, stated that the Town's children could be better served with the expanded complex by having the fees "circumvented" for members of the Boys and Girls Club or the Police Athletic League. He asked that the Town's transit pick up/drop off these children for practice. Mr. Wetzel indicated that there would be no added cost to get these children in the system.

Mr. Wetzel asked that Council use lapel mics as the television audience could not hear Council when they turned from side to side.

Bruce McGee, 14181 SW 15 Court, thanked Council and staff for the improved drainage conditions in his area.

John Undershaw, 5751 SW 54 Court, discussed the amount of traffic and speeding problem next to "conservation land" near his home. He indicated that Bob's Towing was a major violator of the speed limit.

Ann Undershaw, 5751 SW 54 Court, reiterated the previous speaker's comments and spoke of the problems with the trucks coming from McCall's Nursery.

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Brian McCluskey, 5470 SW 59 Avenue, spoke of his concerns with the noise generated from the traffic on SW 58 Avenue. He asked that the police enforcement to look into this between 1:30 a.m. - 2:00 a.m.

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4. PRESENTATIONS (7:20 p.m. - 7:26 p.m.)

4.1 Mike Lanum, The Santa Claus Award

Mayor Venis presented Mrs. Lanum with an award for the Town's gratitude for Mr. Lanum making many children happy at the 2001 Lighting of the Green ceremony.

Mayor Venis announced that item 9.1 needed to be tabled to January 16, 2002.

Councilmember Clark made a motion, seconded by Vice-Mayor Paul, to table. In a voice vote, all voted in favor. (Motion carried 5-0)

Vice-Mayor Paul felt that "these" were two separate properties and should not be brought forth in the same ordinance.

Vice-Mayor Paul made a motion, seconded by Councilmember Clark, that the ordinance be split and that the two properties be presented separately - one for the conservation land and one for the other piece. In a voice vote, all voted in favor. (Motion carried 5-0)

5. MAYOR/COUNCILMEMBER'S COMMENTS

MAYOR VENIS (7:26 p.m. - 7:32 p.m.)

HAPPY NEW YEAR. Mayor Venis wished everyone a happy, healthy, and prosperous New Year.

MITIGATION SITE. Mayor Venis spoke of the mitigation site and the rendering that was agreed upon with the Town, the developer and the community. He advised that the Town was pursuing the appropriate legal action so that the developer corrected the situation. Mayor Venis asked Mr. Connick to bring the renderings to the meeting that was being scheduled with the Westbrooke representatives.

LOBBYIST ISSUES. Mayor Venis asked that a meeting be scheduled with the Tallahassee lobbyists. Mr. Willi also recommended that the lobbyist meet with each Councilmember individually.

INSTALLATION DINNER. Mayor Venis advised that the Davie Merchants and Industrial Association's installation dinner would be on January 15, 2002.

HHH HIGH SCHOOL. Mayor Venis stated that a meeting was going to be held next week and recommendations would be given on the boundaries. He asked that Mr. Willi let Council know when the meeting was going to be held.

FLORIDA DEPARTMENT OF TRANSPORTATION. Mayor Venis advised that the charette scheduled for January 5th had been cancelled.

COUNCILMEMBER CLARK (7:32 - 7:41 p.m.)

REXMERE VILLAGE. Councilmember Clark advised that she had been contacted by James Dale regarding the roads in this area. Mr. Willi indicated that research showed that these roads were not public roads. Vice-Mayor Paul stated that she had received a letter showing that the streets and easements were public. Councilmember Starkey said that the Town agreed to maintain the roads when the area was annexed. Public Works/Capital Projects Director Bruce Bernard advised that the Town did agree to maintain the roads; however, Mr. Dale wants the

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Town to resurface the roads. Mr. Bernard indicated that the Town was currently maintaining the roads as was being done with every road in the Town. He advised that staff was physically reviewing each roadway and its condition so that every road would have been measured by February. Mr. Bernard stated that Mr. Dale's roads would be part of the Town's overlay program in the Capital Projects.

SPEED HUMPS. Councilmember Clark stated that in April, she had addressed a speed hump issue on 41st Court prior to the speed hump policy being passed. She indicated that this request should have already been worked on and asked for a status report.

TRAFFIC. Councilmember Clark advised that her original request was not to add SW 58 Avenue into the traffic study being conducted on the west side but to use the same procedures. She stated that she would like concrete recommendations from staff on what could be done.

HAPPY NEW YEAR. Councilmember Clark wished everyone a happy New Year.

COUNCILMEMBER TRUEX. (7:41 p.m. - 7:43 p.m.)

SPEED HUMPS. Councilmember Truex asked Mr. Willi what the policy was on grandfathering in speed hump requests. Mr. Willi responded that this would be Council's decision. Councilmember Truex indicated that his main concern was for public safety.

TRAFFIC. Councilmember Truex stated that the traffic problems were townwide and one road could not be isolated. He indicated that he was not adverse to adding streets to a study, but at some point, something would have to be done Townwide. Councilmember Truex stated that Mr. Willi and Mr. Bernard would handle the issue and he liked the idea of a street inventory.

COUNCILMEMBER STARKEY (7:43 p.m. - 7:45 p.m.)

HAPPY NEW YEAR. Councilmember Starkey wished everyone a happy New Year.

DONATIONS. Councilmember Starkey thanked the residents who made donations to the EASE Program and Hope Outreach.

RESURFACING LIST. Councilmember Starkey asked Mr. Bernard to redistribute the list of the resurfacing projects to Council.

CANAL. Councilmember Starkey advised that the canal that border the school on 36th and Tree Tops Park needed to be cleaned up by Central Broward Water Control District. She asked that the Town monitor this situation.

VICE-MAYOR PAUL (7:45 p.m. - 7:49 p.m.)

HAPPY NEW YEAR. Vice-Mayor Paul wished everyone a happy New Year.

GARBAGE FRANCHISE. Vice-Mayor Paul questioned when the franchise came up for bid and spoke of the problems the residents were currently having.

CHILD SAFETY BOARD. Vice-Mayor Paul questioned the status of the storage facility contract for the Board's materials and indicated that a check had not been issued. Mr. Willi replied that the storage facility kept drawing up contracts that charged the Town tax; however, he believed this problem had been rectified.

NEWSPAPER ARTICLE. Vice-Mayor Paul felt the Town was headed in the right direction and read an article entitled *Officials to Weigh Curbing Walls and Malls*.

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KIDS VOTING BROWARD. Vice-Mayor Paul stated that the Sun Sentinel had a nice article about Kids Voting Broward which showed the Town as a sponsor.

HAPPY NEW YEAR. Vice-Mayor Paul wished everyone a happy New Year.

6. TOWN ADMINISTRATOR'S COMMENTS (7:49 p.m.)

HAPPY NEW YEAR. Mr. Willi wished everyone a happy New Year.

7. TOWN ATTORNEY'S COMMENTS (7:49 p.m. - 7:52 p.m.)

ADVISORY BOARD CONSOLIDATION. Mr. Connick stated that he had a proposed ordinance regarding the consolidation which Council could discuss at the January 16th Council meeting.

Councilmember Truex asked Mr. Connick about a new regulation on citrus canker and he asked that Town Attorney Monroe Kiar provide an update at the next meeting.

Councilmember Starkey questioned the status of the cost recovery ordinance. Development Services Director Mark Kutney advised that he would be drafting language for the attorneys to review. He indicated that the ordinance should be heard by the Planning and Zoning Board at the end of January. Councilmember Truex reminded that the ordinance needed to be given to the Davie/Cooper City Chamber of Commerce and the Davie Merchants and Industrial Association.

8. CONSENT AGENDA (7:52 p.m. - 7:57 p.m.)

Minutes

8.1 October 17, 2001 - Regular Meeting

Parade Permit

8.2 Hawkes Bluff Elementary School (February 14, 2002)

Home Occupational License

8.3 Worldwide Demolition, 14200 SW 24 Street

Resolutions

8.4 **BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING**
R-2002-1 **THE BID FOR SPORTS OFFICIATING SERVICES. (Top Notch Sports Officials - \$40,000/year)**

8.5 **AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,**
R-2002-2 **AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN AGREEMENT BETWEEN THE DAVIE RODEO ASSOCIATION, INC. AND THE TOWN OF DAVIE, FLORIDA FOR THE RENTAL OF THE BERGERON RODEO GROUNDS, OF DAVIE FLORIDA. (January 18 - 20, 2002 - waive fees \$1,500)**

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- 8.6
R-2002-3 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO ENTER INTO AN AGREEMENT WITH BROWARD COUNTY FOR TRAFFICWAYS BEAUTIFICATION IMPROVEMENTS FOR PINE ISLAND ROAD FROM NOVA DRIVE TO I - 595 (PROJECT NO. 5244) WITHIN THE TOWN OF DAVIE AND AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SUCH DOCUMENT.
- 8.7
R-2002-4 **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE LAW ENFORCEMENT BLOCK GRANT TO PAY FOR SUPPORT AND MAINTENANCE OF PREMIER MDC LAPTOP COMPUTER SOFTWARE TO MOTOROLA. (\$18,850)
- 8.8
R-2002-5 **PLAT REVISION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE MEDIAN OPENINGS OF THE "STIRLING MEADOWS PLAT", AND PROVIDING AN EFFECTIVE DATE. (DG 11-1-01, 7920 Stirling Road)
- 8.9
R-2002-6 **PLAT REVISION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE "ANDREAS-CREME INC. PLAT", AND PROVIDING AN EFFECTIVE DATE. (DG 12-1-01, 12100 State Road 84)
- 8.10
R-2002-7 **QUASI JUDICIAL MATTERS** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, REDUCING THE NUMBER OF PUBLIC MEETINGS ASSOCIATED WITH QUASI JUDICIAL MATTERS REQUIRING ORDINANCE ADOPTION AND PROVIDING AN EFFECTIVE DATE.

Site Plan

- 8.11 SP 10-1-01, Harmony Village Community, 7575 Davie Road Extension, (R-5) *Planning and Zoning Division recommended approval subject to the planning report; Site Plan Committee recommended approval subject to the planning report and eliminating the blue color selection*

Vice-Mayor Paul asked that item 8.10 be removed from the Consent Agenda.

Councilmember Starkey made a motion, seconded by Councilmember Clark, to approve the Consent Agenda without item 8.10. In a voice vote, all voted in favor. (Motion carried 5-0)

8.10 Vice-Mayor Paul knew that this resolution was created to expedite the meetings but felt that this removed an extra opportunity for individuals to speak.

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Councilmember Truex made a motion, seconded by Councilmember Clark, to approve. In a voice vote, with Vice-Mayor Paul dissenting, all voted in favor. (Motion carried 4-1)

9. PUBLIC COMMENTS

Ordinance - First Reading (Public Hearing anticipated to be April 3, 2002)

- 9.1 **TRANSMITTAL** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING FOR TRANSMITTAL APPLICATION LA 02-1, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM "RESIDENTIAL 1 DU/ACRE TO SPECIAL CLASSIFICATION (RESIDENTIAL 2.4 D.U./ACRE); AND SPECIAL CLASSIFICATION (RESIDENTIAL 2 D.U./ACRE) TO CONSERVATION"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (5000 and 5400 SW 58 Avenue) (tabled from December 19, 2001)

This item was tabled previously in the meeting.

10. PUBLIC HEARINGS (7:57 p.m.)

Mayor Venis opened the public hearing portion of the meeting.

Ordinance - Second and Final Reading

- 2002-1 10.1 **REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT TO R-3, LOW DENSITY DWELLING DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 9-1-01, Asseff/Wolf, 6851 SW 45 Street)

Town Clerk Muniz read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public hearing was closed.

Councilmember Truex made a motion, seconded by Councilmember Clark, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Paul - yes; Councilmember Clark - no; Councilmember Starkey - yes; Councilmember Truex - yes. (Motion carried 4-1)

Mayor Venis closed the public hearing portion of the meeting.

11. APPOINTMENTS (7:58 p.m. - 8:00 p.m.)

- 11.1 Davie Water and Environmental Advisory Board (two exclusive appointments - Councilmember Truex; one exclusive appointment - Councilmember Clark and Mayor Venis) (terms expire December 2003)

This item was deferred.

- 11.2 Senior Citizen Advisory Committee (members shall be a minimum of 60 years old) (two exclusive appointments with one being for a one year term and one being for a two year term - Councilmembers Truex and Starkey; terms expire

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December 2002 and 2003 respectively) (one exclusive appointment for a one year term - Mayor Venis; term expires December 2002)

This item was deferred.

- 11.3 Police Employees' Pension Board (one non-exclusive appointment of a legal resident; appointing authority should select, from the best qualified persons, minority representation to accurately reflect that population of the area represented by the Board) (term expires December 2003)

Councilmember Truex nominated Larry Davis. Vice-Mayor Paul seconded the nomination. In a voice vote, all voted in favor. (Motion carried 5-0)

12. OLD BUSINESS (8:00 p.m. - 8:11 p.m.)

12.1 Advisory Board Consolidation

Mayor Venis advised that he agreed with Councilmember Truex's original proposal but he did not agree with the proposal that was submitted as there was too much consolidation. Mayor Venis suggested that each Councilmember provide staff with a list of boards that they felt should not be sunsetted or combined and a list of boards which could be combined.

12.2 Budget Timetable

David Brown, Budget Advisory Committee Chair, outlined Council's request for this timeline. He advised that the Committee had continuously met to meet the goal of having the timeline by the end of the year. Mr. Brown felt that this proposal added more vision to the process and increased intradepartmental and interdepartmental cooperation. He indicated that the projected budget outline that was disseminated by Budget and Finance could be given out in January instead of May when it is usually disseminated.

Mayor Venis felt that a lot of time and effort had been put into the proposed timeline and he thought it would benefit the Town. Vice-Mayor Paul agreed.

Councilmember Clark asked if Mr. Brown was not concerned with the timeframe for the Committee members to meet with staff. Mr. Brown responded that the members had indicated their willingness to provide the time and effort. He advised that the members would also be reviewing the organizational chart for the peer review and would be comparing the chart to other municipalities.

Councilmember Starkey agreed that the Committee had done a phenomenal job.

Councilmember Truex questioned Mr. Willi on his thoughts on the proposal. Mr. Willi advised that staff had worked with the Committee on the proposed schedule and he was glad to see it happen.

In a voice vote, Council approved the new budget process.

13. NEW BUSINESS

There was no new business to be discussed.

14. ADJOURNMENT

There being no objections or further business, the meeting was adjourned at 8:11 p.m.

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Approved _____

Mayor/Councilmember

Town Clerk